



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
200 STOVALL STREET
ALEXANDRIA, VA 22332 2300

IN REPLY REFER TO

13 August 1997

From: Commander, Naval Facilities Engineering Command

Subj: OUTGRANTS OF DEPARTMENT OF THE NAVY CONTROLLED REAL
PROPERTY

Ref: (a) NAVFAC P-73 (Real Estate Procedural Manual)

Encl: (1) ASN(I&E) memo of 7 May 1997; same subject

1. Enclosure (1) issued new policy concerning outgrants of Department of Navy property to entities or persons outside the Navy and Marine Corps. Accordingly, to obtain the approvals required by enclosure (1) for any outgrants issued under the authority delegated by reference (a) you will need to submit to this office, prior to execution, the following:

Leases over 5 years, agricultural outleases over 10 years, and mobile service antennas over 20 years- There is no change from previous policy so you should submit request for approval as in the past.

Leases under 5 years w/improvements over \$5,000- Activity, location, description of property leased (acreage, major improvements, etc.), term, consideration, purpose, lessee, improvements proposed and estimated cost, any deviation from standard lease clauses, small map showing location of leased premises, and anything else you believe would be of importance including congressional interest, if appropriate.

Licenses over 5 years or under 5 years w/improvements over \$5,000- Activity, location, description of property licensed (acreage, major improvements, etc), term, consideration if any, purpose, licensee, any deviation from standard license clauses, small map showing location of licensed premises, and anything else you believe would be of importance including congressional interest, if appropriate.

Easements over 5 years or under 5 years w/improvements over \$5,000- Include NAVFAC as an addressee on the multiple addressee letter required in paragraph 21-28 of reference (a). Please include a small map that shows the easement in relation to the Navy property and facilities so that ASN can get a clear idea of what effect the easement will have and anything else you believe would be of importance including congressional interest, if appropriate.

Use agreement with other federal agency over 5 years or under 5 years w/improvements over \$5,000- Activity, location, description of property (acreage, major improvements, etc.), term, purpose, name of agency, small map showing location of licensed premises, and anything else you

believe would be of importance including congressional interest, if appropriate.

2. Outgrants are issued by Department of Navy entities other than NAVFAC EFD/EFA's under authority delegated to them independently. These will be forwarded by that entity directly to ASN for approval. In accordance with the penultimate paragraph of enclosure (1) you will be asked to review the outgrant for sufficiency and compliance with all applicable laws, regulations, and policies. You should give the results of your review directly to the contracting entity for inclusion in their submission to ASN. To avoid any confusion, the reference to NAVFAC in this paragraph includes the EFD/EFAs. Moreover, any outgrant issued under a delegation of authority from you (i.e. licenses redelegated to station commanding officers under paragraph 20-8 of reference (a)) need not be reviewed provided the outgrant meets all the criteria set forth in the redelegation.

3. The last sentence of the second paragraph requires that proposals for overlay wildlife refuges, or permanent resource (banking) areas be forwarded for ASN(I&E) approval. Under current procedures, all overlay wildlife refuges originated by other federal agencies are already submitted to ASN(I&E) and many mitigation areas and mitigation banks are reviewed by ASN(I&E) in issuing a ROD or in making a FONSI during the NEPA process. In those instances where ASN(I&E) would not have the opportunity to review these actions through these processes, the proposal must be submitted for ASN(I&E) approval via NAVFAC Code 143 (Natural Resources).

4. If there are any questions concerning these procedures please call me at (703) 325-7342.



Charles C. Cocks
By direction

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